

12/16/20 19-CIBML02-07 16

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

DEC 30 2019

JAMES N. HATTEN, Clerk
By: *Charles Jones* Deputy Clerk

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

NATIONAL UROLOGICAL GROUP, INC., et al.,

Defendants,

And

FIFTH THIRD BANK,

Garnishee.

1:04-CV-3294-CAP

ANSWER OF THE GARNISHEE FORM

I, SHELBY BREED (Declarant), as the

GARNISHMENT SPECIALIST (Title of Declarant) of Garnishee,

FIFTH THIRD BANK (Garnishee's official name)

BEING DULY SWORN DEPOSE AND SAY:

1. Choose one as applicable:

☐ GARNISHEE IS AN INDIVIDUAL

Garnishee is or was doing business in name of _____

☐ GARNISHEE IS A PARTNERSHIP OR TRUST.

Declarant is the _____ (Title) of a partnership or trust known as _____ which is registered in the State of _____.

☐ GARNISHEE IS A GOVERNMENTAL ENTITY.

Declarant is the _____ (title of declarant) of the _____ (official name of government entity) with a principal office located at _____.

☒ GARNISHEE IS A CORPORATION.

Declarant is the GARNISHMENT SPECIALIST (title of declarant) of the FIFTH THIRD BANK (corporation name), which is organized under the laws of the State of OHIO.

2. The Garnishee may be contacted through the following individual, at the following telephone number(s), and with the following identifying information:

SHELBY BREED - 513-358-9355

12/16/20 19-CIB/ML02-07 16

3. On the 16TH day of DECEMBER 2019, Garnishee was served with the Writ of Continuing Garnishment.

4. Declarant states the following regarding the subject of the Writ:

Yes No

 X

NO OPEN ACCOUNTS

The Garnishee has custody, control or possession of the following property in which the Judgment debtor maintains an interest, including funds, accounts, monies, stock, or earnings of the Judgment debtor, as described below:

	Description of Property	Approximate Value	Description of Debtor's Interest of Property
(1)	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>
(2)	<u> </u>	<u> </u>	<u> </u>
(3)	<u> </u>	<u> </u>	<u> </u>
(4)	<u> </u>	<u> </u>	<u> </u>

5. Declarant states the following regarding whether there is any other garnishment currently in effect as to the property. If the answer is yes, the declarant describes the other action below.

Yes No

 X

N/A NO OPEN ACCOUNTS

6. Garnishee anticipates owing to the judgment-debtor in the future, the following property including funds, accounts, monies, stock, or earnings of the Judgment debtor:

Yes No
 _____ X _____ NO OPEN ACCOUNTS

	<u>Amount</u>	<u>Estimate Date or Period Due</u>
(1)	\$ _____	_____
(2)	\$ _____	_____
(3)	\$ _____	_____
(4)	\$ _____	_____

7. Check the applicable line below if you DENY that you hold property subject to this order of garnishment.

_____ The Garnishee has the following objections, defenses, or set-offs to the Federal Trade Commission's right to the claimed property of the Judgment debtor:

_____ The Judgment debtor has account(s) at this institution. However, the account(s) currently contain no assets. The Garnishee, _____, will forward assets as they become available in the account(s).

X _____ The Garnishee is in no manner and upon no account indebted or under liability to the Judgment debtor, and the Garnishee does not have in Garnishee's possession or control any property belonging to

the Judgment debtor, or in which the Garnishee has an interest; and is in no manner liable as Garnishee in this action for the following reasons(s): NO OPEN ACCOUNTS

8. Garnishee delivered the Answer to the Clerk of Court for the Northern District of Georgia at: 2211 United States, Courthouse, 75 Ted Turner Drive, SW, Atlanta, GA 30303. The Garnishee mailed a copy of this Answer by first-class mail to the Judgment debtor, Hi-Tech Pharmaceuticals, Inc., 6015 B Unity Drive, Norcross, GA 30071 and to Crystal D. Ostrum, Federal Trade Commission, 600 Pennsylvania Avenue, NW, Mailstop CC-9528, Washington, DC 20580.

• SHELBY BREED

Representative of Garnishee
GARNISHMENT SPECIALIST

(Title)
5050 KINGSLEY DRIVE CINCINNATI, OH 45263

(Address) PH: 513-358-9355
F: 513-358-1279

(Telephone Number)

Subscribed and sworn before
me this 24th day of December 2019.
Notary Public

(SEAL)

My Commission expires: 7/18/2023



ATTACHMENT TO ANSWER OF GARNISHEE

The Original Answer (and checks or money order upon entry of the Court's Final Disposition Order) must be mailed to:

Clerk of Court, Northern District of Georgia
2211 United States Courthouse
75 Ted Turner Drive, SW
Atlanta, GA 30303

A copy of the answer must also be delivered to:

Federal Trade Commission
600 Pennsylvania Avenue, NW
Mailstop CC-9528
Washington, DC 20580
Attn: Crystal D. Ostrum

A copy of the answer must be sent to the Judgment debtor:

Hi-Tech Pharmaceuticals, Inc.
6015 B Unity Drive
Norcross, GA 30071

CERTIFIED MAIL



FIFTH THIRD BANK

Fifth Third Center
Cincinnati, OH 45263



7018 0360 0000 0309 7233



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2211 United States Courthouse
75 Ted Turner Drive, SW
Atlanta, GA 30303



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